

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RODERICK PRESIDENT, # 384264,

Plaintiff,

v.

FOSSIL, INC.,

Defendant.

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Civil Action No. **3:08-CV-1155-L**

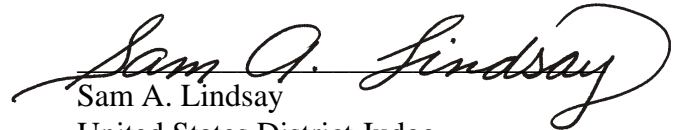
ORDER

Before the court are the Findings, Conclusions and Recommendation of the United States Magistrate Judge, filed September 15, 2008. No objections were filed.

This is a civil action filed by Plaintiff, an inmate in Louisiana. Plaintiff requested to proceed *in forma pauperis*, but the court denied this request pursuant to the three-strikes provision of 28 U.S.C. § 1915(g) and ordered him to pay the filing fee. Plaintiff has not paid the filing fee, and the magistrate judge recommends denying Plaintiff's motion to proceed *in forma pauperis* and dismissing this action without prejudice pursuant to section 1915(g) because he is not in any imminent danger of serious physical injury.

Having reviewed the pleadings, file and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court **denies** Plaintiffs motion for leave to proceed *in forma pauperis*, filed July 8, 2008. The court **dismisses** this action **without prejudice** pursuant to 28 U.S.C. § 1915(g).

It is so ordered this 30th day of September, 2008.


Sam A. Lindsay
United States District Judge